

Remarks

Reconsideration of this Application is respectfully requested. Upon entry of the foregoing Amendment to the Claims, claims 1-32 are pending in the application, of which claims 1, 9, 11, 19, 21, and 29 are independent. By the foregoing Amendment, claims 9, 19, and 29 are sought to be amended. Claims 31 and 32 are sought to be added. No new matter is embraced by this amendment and its entry is respectfully requested. Based on the above Amendment and the remarks set forth below, it is respectfully requested that the Examiner reconsider and withdraw all outstanding rejections.

Rejection under 35 U.S.C. § 102

The Examiner, on page 3 of the Office Action, has rejected claims 1-7, 9-17, 19-27, and 29-30 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,308,187 to DeStefano. Applicant respectfully traverses this rejection. Based on the remarks set forth below, Applicant respectfully requests that this rejection be reconsidered and withdrawn.

To anticipate a claim of a pending application, a single reference must disclose each and every element of the claimed invention. *Hybritech Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1397 (Fed. Cir. 1986). The exclusion of a claimed element from the single source is enough to negate anticipation by that reference. *Atlas Powder Co. v. E.I. du Pont de Nemours & Co.*, 750 F.2d 1569, 1574 (Fed. Cir. 1984).

With regards to independent claims 1, 11, and 21, DeStefano does not teach or suggest every element of Applicants' claimed invention. For example, DeStefano does

not teach or suggest at least the claimed element of: “arranging the content objects as a three-dimensional collage.”

Unlike the present invention, DeStefano does not teach or suggest “arranging the content objects as a three-dimensional collage” as recited in claim 1, or to “arrange the content objects as a three-dimensional collage” as recited in claims 11 and 21. To the contrary, DeStefano teaches abstraction stack configurations, where the abstraction stack includes a series of lenses disposed between a pair of compass handles and joined by binder bands. *DeStefano*, col. 15, lines 53- 56; col. 16, lines 26-29; FIGs. 7-10.

With respect to Applicant’s independent claims 9, 19, and 29, DeStefano does not teach or suggest at least the following element: “positioning the content objects on the three-dimensional graphics objects, wherein the content objects are dynamically animated objects that fade in and out on the three-dimensional graphics objects”.

Unlike the present invention, DeStefano does not teach or suggest that the content objects are dynamically animated objects that fade in and out on the three-dimensional graphics objects. In fact, DeStefano is silent on whether or not information in a lense may fade in or out.

Thus, for at least the foregoing reasons, Applicant respectfully submits that independent claims 1, 9, 11, 19, 21, and 29, and the claims that depend therefrom (claims 2-8, 10, 12-18, 20, 22-28, and 30, respectively) are not anticipated by DeStefano. Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of independent claims 1, 9, 11, 19, 21, and 29, and the claims that depend therefrom, respectively.

Rejection under 35 U.S.C. § 103

The Examiner, on page 6 of the Office Action, has rejected claims 8, 18, and 28 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,308,187 to DeStefano in view of U.S. Patent No. 6,538,672 to Dobbelaar. Applicant respectfully disagrees. Based on the remarks set forth below, Applicant respectfully requests that this rejection be reconsidered and withdrawn.

Claims 8, 18, and 28 depend from independent claims 1, 11, and 21, respectively, and are patentable over DeStefano for at least the reasons stated above. Furthermore, Dobbelaar does not teach or suggest the features missing from DeStefano. Applicant therefore respectfully requests that the Examiner reconsider and withdraw the rejection of dependent claims 8, 18, and 28.

New Claims

New claims 31 and 32 have been added. Claims 31 and 32 depend from independent claims 1 and 9, respectively, and thus, are patentable over the cited reference for at least the reasons stated above.

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Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all currently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Response is respectfully requested.

Respectfully submitted,

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Dated: February 22, 2005

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